THE HONOURABLE SRI JUSTICE C.Y.SOMAYAJULU

W.P.No.14263 of 2004
Date: 24-12-2007

Between:

G. Mallikarjuna and another

Petitioners

And

The Sub-Divisional Police Officer,
Guntakal,Anantapur District and another

Respondents

THE HONOURABLE SRI JUSTICE C.Y.SOMAYAJULU

W.P.No.14263 of 2004

ORDER:

1. Questioning the action of the respondents in opening Rowdy Sheets and History Sheets against them, the petitioners filed this writ petition.

2. The case of petitioners, in brief, is that first petitioner was implicated in false case in C.C.No.1142 of 2002 on the file of the V Metropolitan Magistrate, Hyderabad and except that case there are no other cases pending against him. As he was acquitted in C.C.No.1142 of 2002 on 21.11.2002 and as no other cases are pending against him subsequent to the disposal of C.C.No.1142 of 2002, continuation of the Rowdy Sheet/ History Sheet against him is improper and illegal. Though some petty cases were registered in Guntakal town Police Station against the second petitioner inasmuch as those cases ended in acquittal and as no further cases were registered against him, continuation of the Rowdy Sheet/History Sheet against the second petitioner also is improper and illegal.

3. Though the writ petition is filed in the year 2004, no counter affidavit is filed on behalf of the respondents till today.

4. It is well known that for opening a Rowdy Sheet /History Sheet, more than one criminal case must have been registered against him. According to the first petitioner, except one case, there are no other cases pending or

registered against him. In view thereof, opening of a Rowdy Sheet/ History Sheet against him is improper because it is not the case of the respondents that more than one case is pending against first petitioner.

5. Since petty cases registered against the second petitioner are said to have ended in acquittal and as no other criminal cases are pending against him, continuation of Rowdy Sheet/History Sheet against him also is improper.

6. Therefore, the writ petition is allowed and the Rowdy/History Sheets opened against the petitioners are quashed. No costs.

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C.Y.SOMAYAJULU,J

24-12-2007
Stp